

blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:

- i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
- ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
- iii) a rear deflection section connecting portion;
- iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
- ii) a laterally outward section edge portion having a forward end and a rear end;

- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- iv) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

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whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

Please cancel claim 8, which has been rewritten in independent form as claim 21.

In claim 9, line 1, change "8" to - 21 --.

Please cancel claim 10, which has been rewritten as claim 22.

In claim 11, line 1, change "10" to - 22 --.

Please cancel claim 13, which has been rewritten as independent claim 23.

Please cancel claim 14, which has been rewritten as independent claim 24.

Please cancel claim 15, which has been rewritten as independent claim 25.

In claim 16, line 1, change "15" to - 25 --.

Please cancel claim 17, which has been rewritten as claim 26.

In claim 18, line 1, change "17" to - 26 --.

Finally, please cancel both claims 5 and 12, which have been rewritten as newly submitted independent claim 27.

Please add the following claims:

21. A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

- a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:
- i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
  - ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
  - iii) a rear deflection section connecting portion;
  - iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than

180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
- ii) a laterally outward section edge portion having a forward end and a rear end;
- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- iv) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis;

c) the angle formed by the two defection surfaces being no less than about a right angle.

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guard*

22. A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:

- i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
- ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
- iii) a rear deflection section connecting portion;
- iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the

two central guard plates connecting edge portions meeting each other at the central guard section axis;

- ii) a laterally outward section edge portion having a forward end and a rear end;
- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- iv) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis;

- c) the angle formed by the two guard surfaces being no less than about two-thirds of a straight angle.

~~23.~~ <sup>II</sup> A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

- a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:
  - i) a central deflection edge portion, with the two connecting

deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;

- ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
- iii) a rear deflection section connecting portion;
- iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
- ii) a laterally outward section edge portion having a forward end and a rear end;
- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- iv) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less

than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

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- c) the outer deflection edge portions of the two deflection plates forming an angle between about a right angle and about one-sixth of a right angle taken from a view parallel to the longitudinal center axis of the apparatus.

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24. A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

- a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:
  - i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
  - ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
  - iii) a rear deflection section connecting portion;



- v) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;
- b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:
- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
  - ii) a laterally outward section edge portion having a forward end and a rear end;
  - iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
  - iv) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

- c) said apparatus being characterized in that a horizontal plane intersecting the two guard plates at about the longitudinal mid length thereof defining two horizontal lines extending rearwardly and outwardly from the forward central deflecting axis at an angle between about three-quarters of a straight angle and one-half of a right angle.

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~~25.~~ <sup>13</sup> A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

- a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:
- i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
  - ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
  - iii) a rear deflection section connecting portion;
  - iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
- ii) a laterally outward section edge portion having a forward end and a rear end;
- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- v) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

c) the angle formed by the central guard section axis relative to the deflection axis being no less than about two-thirds of a straight angle.

26. A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller

blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:

- i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;
- ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
- iii) a rear deflection section connecting portion;
- iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:

- i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
- ii) a laterally outward section edge portion having a forward end and a rear end;

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- iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
- v) a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

- c) the forward deflecting section being made with through openings to permit water to flow rearwardly through said deflection section toward a propeller location with the apparatus in its operating position.

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~~27.~~ <sup>17</sup> A protection and deflection apparatus that is adapted to be mounted in an operating position adjacent to a propeller section of a boat, the propeller section having a propeller blade portion having an axis of rotation and an outer circumferential path of rotation along which tip portions of the propeller blade portion travel, said apparatus having a longitudinal axis, a transverse axis and a vertical axis, said apparatus comprising:

- a) a forwarding deflecting section having a forward central deflecting axis which extends in a downward and rearward slant, and comprising right and left deflection plates, each of which comprises:
  - i) a central deflection edge portion, with the two connecting deflection edge portions joining one another at said deflecting axis so as to form at the central deflecting axis a downwardly and rearwardly extending leading edge of the deflecting section;

- ii) an outer deflection edge portion, with the two outer deflection edge portions each having a forward end and a rear end, and extending laterally outwardly and downwardly from the forward end of the deflection plate;
- iii) a rear deflection section connecting portion;
- iv) a generally downwardly and outwardly facing deflection surface, with the two deflection surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to said deflecting alignment axis, so as to extend laterally and upwardly away from one another and so as to extend rearwardly and divergently from said leading edge;

*Rear Guard*

- b) a rear guard section having a rear central guard section axis which is generally longitudinally aligned and is at an angle of less than 180 degrees relative to the deflection axis, a forward end portion connected to the rear end portion of the forward deflecting section and a rear end, said guard section comprising right and left guard plates, each of which comprises:
  - i) a central guard plate connecting edge portion with the two central guard plates connecting edge portions meeting each other at the central guard section axis;
  - ii) a laterally outward section edge portion having a forward end and a rear end;
  - iii) a forward guard section connecting portion connected to the rear deflection connecting portion of its related right or left deflection plate;
  - iv. a generally downwardly and outwardly facing lower guard surface, with the two guard surfaces forming an angle of less than 180 degrees, relative to a plane taken perpendicular to the guard section axis,

whereby when said apparatus engages a bottom surface of particulate material in a shallow body of water, the forward deflecting section has a

diverging action on said particulate material and downwardly and outwardly facing lower guard surfaces has a resisting action against the particulate material moving toward the central guard action axis.

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c) forward end portions of the downwardly facing guard surfaces of the two guard plates being aligned and adjacent to rear end portions of the downwardly facing deflection surfaces of the deflection plates; and the forward portions of the downwardly facing guard surfaces slanting inwardly and forwardly toward one another and form an angle between about 160 and 60 degrees.

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#### REMARKS

In the last Office Action, it was indicated that Fig. 2 of the drawings does not show the section line 5-5, as called for in the specification where Fig. 5 is described. Enclosed with this Response is a photocopy of the drawing containing Fig. 5 showing Fig. 2, with the section line 5-5 being shown in red ink. At such time as a Notice of Allowance is obtained, this change will be made in the Formal Drawings.

Also, the correction was made in the Brief Description of the Drawings by changing on page 7, line 19, numeral "10" to - 15 --.

Also, claim 13 was rejected under 35 USC 112 since the dependency of claim 13 was omitted. Claim 13 has been cancelled, and this has been submitted as a new independent claim 23.

In the last Office Action, claim 20 was allowed. Claims 1-7 and 19 were rejected on the basis of prior art. Claims 8-12, and 14-18 were objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including the proper limitations of claim or claims on which they depend.

This has been done by cancelling claims 8, 10, 14, 15, and 17 (all of which depend directly on claim 1) and these have been placed in independent form as claims 21, 22, 24, 25, and 26, respectively. Depending claims 5 and 12 have